

**Notice of Allowability**

Application No.

09/525,515

Examiner

Alain L. Bashore

Applicant(s)

KARP ET AL.

Art Unit

1762

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1-19-06.
2. ☒ The allowed claim(s) is/are 1-11, 13-19, 21-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

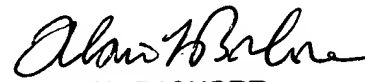
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**ALAIN L. BASHORE**  
**PRIMARY EXAMINER**

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-11, 13-19, 21-36 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 1, 17, 21. Claim 1 recites a method for conducting an electronic negotiation of a commercial transaction wherein said electronic negotiation is guaranteed to terminate, claim 17 recites a method for electronically negotiating a commercial transaction that is guaranteed to terminate; claim 21 recites a computer program product having computer readable medium with computer logic recorded thereon for conducting an electronic negotiation that is guaranteed to terminate.

Bigus et al is considered the closest prior art. Bigus et al discloses a buyers guide is disclosed wherein a product to be negotiated is (col 19, lines 1-20). The guide includes a set of attribute-value pairs, each pair including an attribute and a range of values for the attribute (col 19, lines 8-10). An offer is present wherein a second negotiating party offers to negotiate one or more attributes for the product listed in the guide. One or more counter offers are present wherein the second and first negotiating

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parties continue to exchange counter offers until each attribute is agreed to (figs 5-6: col 9, lines 42-56).

Bigus et al does not disclose the combination including:

In claim 1:

a step of advertising a product with an advertisement wherein said product that is to be negotiated is listed by a first negotiating party, the advertisement comprising a set of attribute-value pairs, each attribute value pair including an attribute and a range of values for the attribute, for the product listed in the advertisement;

a step of looking up, wherein the product listed in the advertisement is located for a second negotiating party, wherein at least one of a first set of attribute-value pairs is displayed to the second negotiating party;

a step of offering, wherein the second negotiating party offers to negotiate one or more attributes for the product listed in the advertisement;

a step of counter-offering, wherein the first negotiating party responds to the offer with a first counter-offer; and

a step of displaying at least one of a second set of attribute-value pairs to the

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second negotiating party if each attribute is not agreed to or failed negotiation is not declared, wherein the second negotiating party and the first negotiating party continue to exchange counter-offers until each attribute is agreed to or the failed negotiation is declared;

wherein one or more attributes from the set of attribute-value pairs are introduced with a corresponding range of values and each counter-offer reduces the range of values for at least one attribute that was previously introduced by narrowing a gap between values for a previously introduced attribute or by introducing a new attribute from the set of attribute-value pairs.

In claim 17:

looking-up the product from the advising step, wherein the looking-up step comprises:

displaying to a second negotiation party the set of attribute-value pairs, and, comparing one or more attribute-values provided by the second negotiating party with the set of attribute-value pairs in the advertisement to find a match; offering to electronically negotiate one or more attributes from the attribute-value pairs for the product, wherein the offering step comprises proposing the second negotiating party's list of values for a first attribute from the set of

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attribute-value pairs;

countering the offering step with the first negotiating party's proposal of a list of values for the first attribute of the product;

displaying to the second negotiating party the first negotiating part's proposal;

determining one of: when each attribute from the attribute-value pairs is agreed to, and when a failed negotiation is declared; and,

conducting one or more additional countering steps until one of: each attribute from the attribute-value pairs is agreed to, and the failed negotiation is declared, wherein the second negotiation party and the first negotiation party alternated conducting the countering steps until one of: each attribute from the attribute-value pairs is agreed to, and the failed negotiation is declared.

In claim 21:

Code for advertising a product that is to be electronically negotiated wherein said product is listed by a first negotiating party and said code for advertising operated to produce an advertisement comprising a set of attribute-value pair, each attribute-value pair including an attribute and a range of values for the attribute, for the product listed in the advertisement;

Code for looking-up said product listed in said advertisement for a second

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negotiating party, wherein at least one of a first set of attribute-value pairs is displayed to said second negotiating party;

Code for enabling said second negotiating party to submit an offer to negotiate one or more attributes for said product listed in said advertisement; and

Code for enabling said first negotiating party to respond to said offer with a first counter-offer and, when one of: each attribute is not agreed to, and a failed negotiation is not declared then at least one of a second set of attribute-value pairs is displayed to said second negotiating party, wherein the second negotiation party and the first negotiation party continue to exchange counter-offers until one of: each attribute is agreed to, and the failed negotiation is declared.

For these reasons claims 1, 17, and 21 are deemed to be allowable over the prior art of record, and claims 2-11, 13-16, 18-19, 22-36 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. Allowable subject matter may require further review for applications in class 705 before a notice of allowance is mailed to applicant. The time period for review may vary from application to application.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

Regarding all Class 705 applications, the management contact regarding examination is: Vincent Millin (SPE, art unit 3624) at 571-272-6747.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alain L. Bashore  
Primary Examiner  
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